

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

FELIX DUANE HOLBROOK

PETITIONER

V.

CIVIL ACTION NO. 3:15-cv-126-DPJ-FKB

STATE OF MISSISSIPPI
and LAUDERDALE COUNTY

RESPONDENTS

ORDER OF DISMISSAL

This cause is before the Court *sua sponte*. At the time he filed this action, *pro se* Petitioner Felix Duane Holbrook was incarcerated at the Lauderdale County Detention Center in Meridian, Mississippi. On June 15, 2015, the Court ordered [8] Holbrook to file a response indicating the status of the charges against him and results of his April 6, 2015, trial setting. The Order [8] was returned as undeliverable [9]. On July 28, 2015, the Court entered an Order to Show Cause [10], directing Holbrook to show cause by August 14, 2015, why this case should not be dismissed for failure to prosecute and failure to file a response to the Court's Order [8]. This Order [10] was also returned as undeliverable [11].

To date, Holbrook has not filed his Response, notified the Court of his address change, or otherwise contacted the Court. In each of the Court's prior Orders [5, 8, 10], Holbrook was advised that a failure to keep the Court apprised of his address and/or a failure to comply with any Court Order may result in dismissal.¹

Accordingly, the Court finds that this action should be dismissed without prejudice.

A separate judgment will be entered in accordance with Federal Rule of Civil Procedure

¹ On March 25, 2015, the Court granted Petitioner's motion to proceed in forma pauperis and warned him that a failure to advise the Court of a change of address will result in dismissal. Order [5].

58.

SO ORDERED AND ADJUDGED this the 24nd day of August, 2015.

s/ Daniel P. Jordan III

UNITED STATES DISTRICT JUDGE